

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshiyasu TANAKA et al.

Serial No. 10/823,673

Filed April 14, 2004



Confirmation No. 4880

Mail Stop: MISSING PARTS

Attorney Docket No. 2004-0540A

DIFFRACTION ELEMENT, OPTICAL HEAD
DEVICE INCLUDING THE DIFFRACTION
ELEMENT, OPTICAL INFORMATION
APPARATUS INCLUDING THE OPTICAL
HEAD DEVICE, SYSTEM INCLUDING THE
OPTICAL INFORMATION APPARATUS
AND METHOD OF DESIGNING
DIFFRACTION GRATING OF THE
DIFFRACTION ELEMENT

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 28, 2004, submitted herewith is the required Declaration and Power of Attorney.

Also enclosed are the PTO surcharge of \$130.00, required by 37 CFR 1.16(e), and a copy of the Notice.

Favorable action on the merits is now requested.

Respectfully submitted,

Toshiyasu TANAKA et al.

By:

Michael S. Huppert
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Attorney for Applicants

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Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 19, 2004

THE COMMISSIONER IS AUTHORIZED
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:

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Toshiyasu TANAKA et al.

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TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

By

Michael S. Huppert

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Washington, D.C. 20006-1021
Telephone (202) 721-8200
July 19, 2004

[Check No. 6298]

2004-0540A

JFW

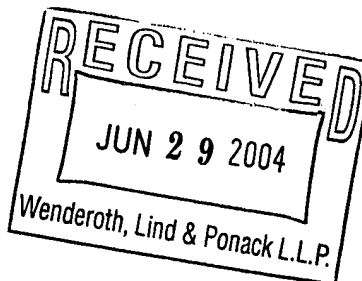


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,673	04/14/2004	Toshiyasu Tanaka	2004_0540A

000513
 WENDEROTH, LIND & PONACK, L.L.P.
 2033 K STREET N. W.
 SUITE 800
 WASHINGTON, DC 20006-1021



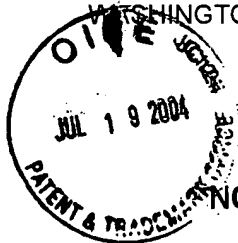
CONFIRMATION NO. 4880

FORMALITIES LETTER



OC000000013089885

Date Mailed: 06/28/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

07/20/2004 EFLORES 00000002 10823673

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C. A. J.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE